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Admitted in:
Vermont, Illinois,
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MEMO ENDORSED

Practices Exclusively in the area of Intellectual Property Law and Information Technology Matters

September 4, 2008

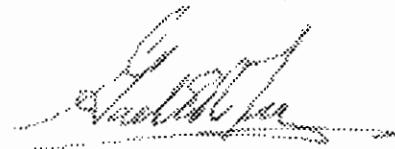
Drew D'Agostino, Courtroom Deputy Clerk
Case Manager Hon. P. Kevin Castel, U.S.D.J.
United States District Court
Southern District of New York
500 Pearl Street - Courtroom 12-C
New York, NY 10007

Re: Arco Industries/ New York Wine Warehouse
v. New York Wine Co. LLC
Case No. 1:08-cv-01999-PKC

Dear Mr. D'Agostino:

The parties to the above lawsuit are in the process of negotiating and finalizing a settlement agreement which is intended to lead to the dismissal of the case. Accordingly, the parties request that the Case Management Conference scheduled for tomorrow, September 5, 2008, be either rescheduled or deferred for a minimum of thirty (30) days while the parties seek to complete and finalize their negotiations.

Respectfully submitted,
GORDON E. R. TROY, PC



By: _____
Gordon E. R. Troy, Esq.

USDS SDNY
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DATE FILED: 9/4/08

cc: Michael P. Kandler, Esq., Callan, Koster, Brady & Brennan, LLP

*Conference
advanced for
September 5 to
September 26, 2008 at 11:30am
SO ORDERED
[Signature]
USDS
9-4-08*